

Application No.: 10/526,787

Docket No.: JCLA16283-R

**REMARKS**

In the current Office Action, claims 1-6, 8-10 and 12-28 are pending.

Specifically, claims 1-6, 8-10, 12-26, and 28 are rejected under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention;

Claims 1, 2, 4, 6, 17, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mohmeyer (2000DE-2002352; Mohmeyer hereinafter);

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mohmeyer and further in view of Gross (JP43-19511; Gross hereinafter);

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mohmeyer in view of Takei et al (US 5,507,868; Takei hereinafter);

Claims 15, 16, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mohmeyer in view of Shuri et al. (JP 2000-126580; Shuri hereinafter);

Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mohmeyer in view of Takahiro et al (JP7-328408; Takahiro hereinafter);

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mohmeyer in view of Arami et al. (JP62-294461; Arami hereinafter);

Claims 1, 2, 4, 6, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schallis (US 3,936,534; Schallis hereinafter);

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schallis and further in view of Takei;

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Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schallis in view of Takahiro; and

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schallis in view of Arami.

Further, claims 8-10, 12-14, 23, 24-26, and 28 would be allowable if rewritten to overcome the 112, 2<sup>nd</sup> paragraph rejection.

Applicants have amended claims 1, 2, 10, and 25, and added a new claim 29 without entering any new matter, for overcoming the 35 U.S.C. 112, 2<sup>nd</sup> paragraph rejection only.

#### **Discussion of the Office Action Rejections**

Claims 1-6, 8-10, 12-26, and 28 are rejected under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, as indicated by the Examiner, claims 1, 2, 10, and 25 include subject matters considered as unclear. Correspondingly, Applicants have amended claims 1, 2, 10, and 25.

As such, as currently amended, claims 1, 2, 10, and 25, as well as claims 3-6, 8-9, 12-24, 26, and 28 depending therefrom are submitted to be allowable over 35 U.S.C. 112, 2<sup>nd</sup> paragraph.

Claims 1, 2, 4, 6, 17, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mohmeyer.

In response thereto, Applicants hereby otherwise traverse these rejections, and submit that

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the present invention as set forth in claims 1, 2, 4, 6, 17, and 22, is neither taught, disclosed, nor suggested by Mohmeyer, or any of the other cited references, taken alone or in combination, and thus should be allowed.

With respect to claim 1, as currently amended, recites in part:

A coating apparatus ... wherein

... **said one end, said other end, and said peripheral wall as a whole**  
**configure a vessel for accommodating said granules to be processed,**

...

said one end and said other end are respectively provided with an air vent, one of which constitutes an air inlet for supplying process gas from outside into said rotating drum, and the other one of which constitutes **an air outlet for exhausting the process gas from inside said rotating drum to the outside, when coating the granules,**

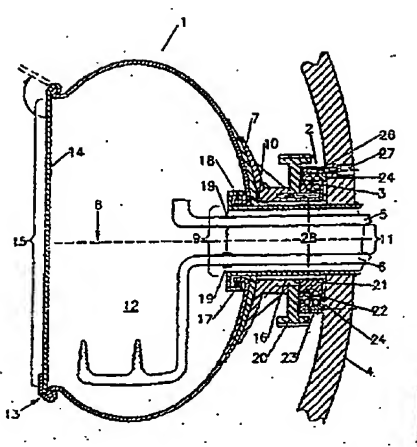
...

wherein the process gas supplied into said rotating drum through said **air inlet passes through said layer of the granules inside said rotating drum and is exhausted from said air outlet.**

(emphasis added)

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As shown in the above drawing, Applicants submit that Mohmeyer fails to teach “said one end and said other end are respectively provided with an air vent, **one of which constitutes an air inlet** for supplying process gas from outside into said rotating drum, and **the other one of which constitutes an air outlet for exhausting the process gas** from inside said rotating drum to the outside, **when coating the granules**” (emphasis added).

In rejecting claim 1, addressing to this limitation, the Examiner interpreted area 9 as reading on the one which constitutes an air inlet, and interpreted area 15 as reading on the other one which constitutes an air outlet for exhausting the process gas .... However, in the cited reference, Mohmeyer has clearly taught that “The pan has a coating opening (15) which closes during the operation of the lid (14)”. As such, when the pan is in operation, the opening 15 should be closed. In this manner, when considered in its entirety, if the coating opening 15 is considered as reading on the air vent of one end, then Mohmeyer instantly fails to satisfy the limitation of “said one end, said other end, and said peripheral wall as a whole configure a vessel for accommodating said granules to be processed”, because as shown in the drawing, only when the

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lid 14 is in operation, the pan can be used for production. Or otherwise, when the lid 14 is relied upon for configuring a vessel for accommodating said granules, then the opening 15 should not be relied upon for reading on the air vent.

Further, the Mohmeyer teaches an opening 9, but fails to teach that the opening 9 is for supplying process gas from outside into said rotating drum (pan).

Applicants submit that although being functional, the instant limitation indeed structurally restrict the scope of the claimed invention. As required by claim 1, one air vent is for supplying process gas from outside into said rotating drum, and another air vent is for exhausting the process gas from inside said rotating drum to the outside, when coating the granules. Such a limitation clearly defines a flow path of the process gas from one air vent at one end to another air vent at another end. However, as shown in the drawing of Mohmeyer, it can be seen that in operation, if a process gas is supplying from the opening 9, there is no air vent for exhausting the process gas. And if the opening 15 is provided for exhausting the gas, the pan is not in operation, and therefore the process gas processes no granule at all.

Accordingly, Mohmeyer further fails to teach: **"wherein the process gas supplied into said rotating drum through said air inlet passes through said layer of the granules inside said rotating drum and is exhausted from said air outlet"**.

As such, for at least the foregoing reasons, the present invention as set forth in claim 1, and its dependent claims 1, 2, 4, 6, 17, and 22, is neither taught, disclosed, nor suggested by Mohmeyer, or any of the other cited references, taken alone or in combination, and thus should be allowed.

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Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mohmeyer and further in view of Gross.

Applicants submit that claim 3 depends upon allowable independent claim 1, and thus should also be allowed.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mohmeyer in view of Takei.

Applicants submit that claim 5 depends upon allowable independent claim 1, and thus should also be allowed.

Claims 15, 16, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mohmeyer in view of Shuri et al. (JP 2000-126580; Shuri hereinafter).

Applicants submit that claims 15, 16, and 27 depend upon allowable independent claim 1, and thus should also be allowed.

Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mohmeyer in view of Takahiro.

Applicants submit that claims 18-20 depend upon allowable independent claim 1, and thus should also be allowed.

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Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mohmeyer in view of Arami.

Applicants submit that claim 21 depends upon allowable independent claim 1, and thus should also be allowed.

Claims 1, 2, 4, 6, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schallis.

In response thereto, Applicants hereby otherwise traverse these rejections, and submit that the present invention as set forth in claims 1, 2, 4, 6, 17, and 22, is neither taught, disclosed, nor suggested by Mohmeyer, or any of the other cited references, taken alone or in combination, and thus should be allowed.

With respect to claim 1, as currently amended, recites in part:

A coating apparatus ... wherein

...

said one end and said other end are respectively provided with an air vent, one of which constitutes an air inlet for supplying process gas from outside into said rotating drum, and the other one of which constitutes **an air outlet for exhausting the process gas from inside said rotating drum to the outside, when coating the granules,**

...

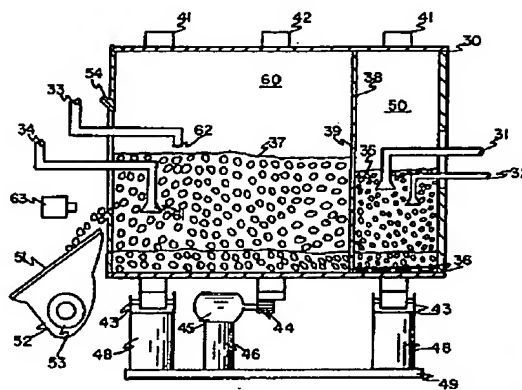
**wherein the process gas supplied into said rotating drum through said**

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air inlet passes through said layer of the granules inside said rotating drum  
and is exhausted from said air outlet.

(emphasis added)



As shown in the above drawing, Applicants submit that Schallis fails to teach "said one end and said other end are respectively provided with an air vent, **one of which constitutes an air inlet** for supplying process gas from outside into said rotating drum, and **the other one of which constitutes an air outlet** for exhausting the process gas from inside said rotating drum to the outside, **when coating the granules**" (emphasis added).

In rejecting claim 1, addressing to this limitation, the Examiner stated "each duct provided at the end of said rotating drum for fluidly communicating the air vent openings and other respective ducts (31-34).

However, in fact, Schallis fails even to mention item 31. Schallis has clearly taught that item 32 is a water inlet, item 33 is a sulfur inlet line, and item 34 is a water inlet line. Applicants



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submit that items 32-34 are inlets for providing water and sulfide, none of which is a gas, and none of which is taught for exhausting a process gas.

Further, Schallis fails to teach "wherein the process gas supplied into said rotating drum through said air inlet passes through said layer of the granules inside said rotating drum and is exhausted from said air outlet". In fact, Schallis even fails to teach the process gas supplied into the rotating drum, because none of the ducts 31-32 is an air inlet; and therefore, Schallis would have failed to teach exhausting the process gas from the air outlet.

Further, since the ducts 31-34 are inlets for providing water and sulfide, they cannot be by the way used as a gas inlet and a gas outlet. Specifically, the duct 34 won't be deemed as reading on the air outlet from which a process gas is exhausted.

As such, for at least the foregoing reasons, the present invention as set forth in claim 1, and its dependent claims 2, 4, 6, 17, and 22, is neither taught, disclosed, nor suggested by Schallis, or any of the other cited references, taken alone or in combination, and thus should be allowed.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schallis and further in view of Takei.

Applicants submit that claim 5 depends upon allowable independent claim 1, and thus should also be allowed.

Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schallis in view of Takahiro.

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Applicants submit that claims 18-20 depends upon allowable independent claim 1, and thus should also be allowed.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schallis in view of Arami.

Applicants submit that claim 21 depends upon allowable independent claim 1, and thus should also be allowed.

**Allowable Subject Matter**

Claims 8-10, 12-14, 23, 24-26, and 28 would be allowable if rewritten to overcome the 112, 2<sup>nd</sup> paragraph rejection.

Applicants have amended claims 1, 2, 10, and 25 without entering any new matter, for overcoming the 35 U.S.C. 112, 2<sup>nd</sup> paragraph rejection only.

Upon the amendment to claims 1, 2, 10 and 25, Applicants have discussed the allowability of claim 1 as above. As such, claims 8-10, 12-14, 23, 24-26, and 28 are now in allowable forms.

**New Claim**

Claim 29 is newly added depending upon allowable independent claim 1, and thus should also be allowed.

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CONCLUSION

For at least the foregoing reasons, it is believed that all the pending claims 1-6, 8-10 and 12-28, as well as the new claim 29 of the present application patently define over the prior art and are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Respectfully submitted,  
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